

DETAILED ACTION

1. The amendment file on 02/19/2010 has been entered.
2. In the telephone interview with applicant's representative, Christopher M. Tucker, on 02/26/2010, the examiner informed applicant's representative that the current claim 1 does not include the features that an I/O controller, video controller, and audio controller are included in the core computer unit, and that the core computer unit does not have a power supply. These features were added into claim 1 in the amendment filed on 09/09/2005 to overcome a rejection based on Kobayashi. Without these features, the current claims should have been rejected based on Kobayashi. The examiner suggested adding back these features into claim 1 to distinguish the claimed invention from Kobayashi, by:

In claim 1, line 4, inserting, -- , I/O controller, video controller, and audio controller -- after “[means]”; and

In line 5, inserting after -- and power supply -- after “display”.

3. Applicant agreed to amend claim 1 as suggested by an examiner's amendment to place the application in a condition for allowance. However, such amendments require an appropriate supplemental oath/declaration under 37 CFR 1.175(b), and thus is insufficient by an examiner's amendment.

Further, the consent of assignee in this application is signed by a person title General Counsel who is not recognized as an officer of the assignee, and he/she has not been established as being authorized to act on behalf of the assignee. See MPEP § 324.

Therefore, the finality of the previous Office action is hereby withdrawn due to the following grounds of rejection and objection.

4. This application is objected to under 37 CFR 1.172(a) as the assignee has not established its ownership interest in the patent for which reissue is being requested. An assignee must establish its ownership interest *in order to support the consent to a reissue application required by 37 CFR 1.172(a)*. The submission establishing the ownership interest of the assignee is informal. There is no indication of record that the party who signed the submission is an appropriate party to sign on behalf of the assignee. 37 CFR 3.73(b).

A proper submission establishing ownership interest in the patent, pursuant to 37 CFR 1.172(a), is required in response to this action.

5. The person who signed the submission establishing ownership interest has failed to state his/her capacity to sign for the corporation or other business entity and is not recognized as an officer of the assignee, and he/she has not been established as being authorized to act on behalf of the assignee. See MPEP § 324.

It would be acceptable for a person, other than a recognized officer, to sign a submission establishing ownership interest, provided the record for the application includes a duly signed

statement that the person is empowered to sign a submission establishing ownership interest and/or act on behalf of the assignee.

Accordingly, a new submission establishing ownership interest which includes such a statement above, will be considered to be signed by an appropriate official of the assignee. A separately filed paper referencing the previously filed submission establishing ownership interest and containing a proper empowerment statement would also be acceptable

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-8 are under 35 U.S.C. 102(b) being clearly anticipated by Kobayashi (5,463,742).

Kobayashi discloses in figure 1 the same core computer unit (2) to be used interchangeable with a plurality of different types of structured enclosure (4,6,8,9) as claimed. The core computer unit (see figure 2) does not have a display and includes internal core components comprising internal non-volatile mass storage (19), an external core connector (22), and power connection means via the external core connector for electrical connection to an enclosure (see col. 3, lines 15-17), means (22) via the enclosure to communicate with a plurality of function units as claimed.

8. Claims 1-8 would be allowed if claim 1 is amended as set forth above and as agreed in the telephone interview, and an appropriate supplemental oath/declaration under 37 CFR 1.175(b) and a proper submission establishing ownership interest in the patent, pursuant to 37 CFR 1.172(a) are filed with the amendment.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuong D. Ngo whose telephone number is (571) 272-3731. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lewis, Jr. A. Bullock can be reached on (571) 272-3759. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

03/01/2010

/Chuong D Ngo/
Primary Examiner, Art Unit 2193